



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,775	11/19/2003	Lawrence E. Renck	031599/259282	6154
826	7590	10/05/2005		EXAMINER
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			HORTON, YVONNE MICHELE	
			ART UNIT	PAPER NUMBER
			3635	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<i>ke</i> Office Action Summary	Application No.	Applicant(s)	
	10/716,775	RENCK, LAWRENCE E.	
	Examiner Yvonne M. Horton	Art Unit 3635	
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>			
Period for Reply			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.			
<ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 			
Status			
1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>19 November 2003</u> .			
2a) <input type="checkbox"/> This action is FINAL. 2b) <input checked="" type="checkbox"/> This action is non-final.			
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.			
Disposition of Claims			
4) <input checked="" type="checkbox"/> Claim(s) <u>1-36</u> is/are pending in the application.			
4a) Of the above claim(s) _____ is/are withdrawn from consideration.			
5) <input type="checkbox"/> Claim(s) _____ is/are allowed.			
6) <input checked="" type="checkbox"/> Claim(s) <u>1-10,12-15,17-21,25-28,30-34 and 36</u> is/are rejected.			
7) <input checked="" type="checkbox"/> Claim(s) <u>11,16,22-24,29 and 35</u> is/are objected to.			
8) <input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.			
Application Papers			
9) <input type="checkbox"/> The specification is objected to by the Examiner.			
10) <input checked="" type="checkbox"/> The drawing(s) filed on <u>19 November 2003</u> is/are: a) <input checked="" type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner.			
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).			
11) <input type="checkbox"/> The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.			
Priority under 35 U.S.C. § 119			
12) <input type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).			
a) <input type="checkbox"/> All b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of:			
1. <input type="checkbox"/> Certified copies of the priority documents have been received.			
2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____.			
3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).			
* See the attached detailed Office action for a list of the certified copies not received.			
Attachment(s)			
1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)			
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)			
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/22/05</u>			
4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date _____			
5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)			
6) <input type="checkbox"/> Other: _____			

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

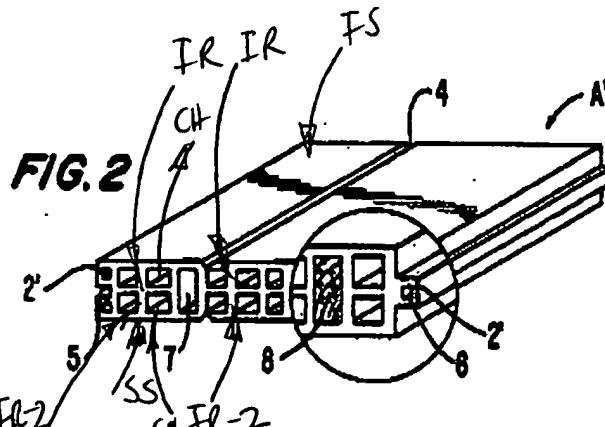
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #3,709,161 to KAUFFMAN. KAUFFMAN discloses the use of a reinforced panel including a face sheet (8,10,12) with a plurality of integral intersecting ribs (4,6) projecting from an interior side thereof and forming contiguous cells/channels, column 2, lines 39-43 and reinforcing members (16) positioned within the channels to increase bending resistance of the panel, column 2, lines 47-49. Regarding claims 7 and 8, the face sheet (8,10,12) is made from papermaking fibers, column 2, line 13, and is attached to the distal ends of the ribs (4,6).

Claims 1,2-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #5,876,831 to RAWAL. RAWAL discloses the use of a reinforced panel (10) including a face sheet (34,40) with a plurality of integral intersecting ribs (22a-e) projecting from an interior side thereof and forming contiguous cells/channels, and reinforcing members (18a-e) positioned within the channels to increase bending resistance of the panel. Regarding claims 2,4,5 and 6, the reinforcing member (18a-e) and the cells/channels have a cross-sectional shape of a polygon or a circle, see figures 2 and 4; wherein the reinforcing members (18a-e) are adhesively, column 5, line 25,

bonding within the cells/channels. In reference to claim 8, the face sheet (34,40) is attached to the distal ends of the ribs (22a-e).

Claims 1,3,9,10,12-15 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #5,177,924 to KAKUK. KAKUK discloses the use of a reinforced panel including a face sheet (FS) with a plurality of integral intersecting ribs (IR) projecting from an interior side thereof and forming contiguous cells/channels (2,7,10) and reinforcing members (3,8,11,21) positioned within the channels to increase bending resistance of the panel, see below. Regarding claims 3 and 12, the reinforcing



members (21) have an I-shape. In reference to claims 9 and 20, the members are molded fibers, column 5, lines 1-19. Further regarding claim 10, the panel also includes a second face (SS) and a plurality of second intersecting ribs (IR-2) that are in face to face contact with the first integral ribs (IR), see above. In reference to claims 13-15, the first and second reinforcing members (18a-e) are positioned within the first and second channels (22a-e), flush therewith, and are bonded therein by glue/adhesive, column 6, lines 19-22. Regarding claim 18, the planar sheet (FS,SS) are attached to the distal ends of the intersecting members (18a-e). In reference to claim 19, the

reinforcing members (18a-e) are made from metal or wood, column 6, lines 41,49 and 56.

Claims 21,25 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #5,876,831 to RAWAL. RAWAL discloses the method of forming a reinforcing panel including the steps of forming a first face sheet (34,40), forming first channel (22a-e), and securing a first reinforcing member (18a-e). Regarding claim 25, the reinforcing member (18a-e) is secured using adhesive, column 6, lines 19-22. In reference to claim 27, the reinforcing members (18a-e) fit flush within the channels (22a-e).

Claims 21,26,28,30-34 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #5,177,924 to KAKUK. Regarding claims 21 and 32KAKUK discloses the method of forming a reinforcing panel including the steps of forming a first face sheet (FS), forming first channel (CH) and (2,7,10) using a plurality of integral ribs (IR), and securing a first reinforcing member (3,8,11,21) therein, see above. In reference to claim 26, the securing step includes securing the first reinforcing member (21) beyond the first integral ribs (IR), see figures 6 and 7. Regarding claims 28 and 31, RAWAL further discloses the step of forming a second face (SS) and second integral ribs (IS-2), and channels (CH-2) and (2,7,10); and securing a first and second reinforcing member (21) in a second channel thereby attaching the first sheet (FS) to the second sheet (SS). In reference to claim 30, RAWAL further discloses securing the second reinforcing members (2,7,10) within the second channels (3,8,11). Regarding claim 32, RAWAL further discloses the use of a channel (4) on the exterior side of the

face sheet (FS). In reference to claim 33, the first (IR) and second (IR-2) intersecting ribs are proximate one another. Regarding claim 34, the channel (4) extends into the exterior of the face sheet (FS). In reference to claim 36, the face sheet (FS,SS) is formed from molded fibers, column 5, lines 1-19.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #5,177,924 to RAWAL. RAWAL discloses the basic claimed panel except for explicitly detailing the use of a paper board material. Although RAWAL is silent in this regard, he does detail the use of organic materials, column 1, line 51. Paper is an organic material. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to select a known material on the basis of its suitability for the use intended as an obvious matter of design choice.

Allowable Subject Matter

Claims 11,16,22-24,29 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne M. Horton whose telephone number is (571) 272-6845. The examiner can normally be reached on 6:30 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (571) 272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Yvonne M. Horton
Art Unit 3635 10/3/05